

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:
CMS ENERGY SECURITIES
LITIGATION : District Judge George Caram Steeh
: Magistrate Judge Virginia M. Morgan
:
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**ORDER REGARDING PLAINTIFFS' MOTION TO REOPEN DEPOSITIONS OF
DEFENDANTS MCCORMICK AND WHIPPLE**

WHEREAS Plaintiffs, by motion dated March 30, 2006 (the "Motion"), have moved for an Order compelling each of defendant William McCormick and Kenneth Whipple to appear for a deposition of not more than three hours, to answer questions concerning documents produced subsequent to his prior deposition;

WHEREAS the District Court entered an Order pursuant to 28 U.S.C. § 636(b)(1)(A) referring the Motion to United States Magistrate Judge Virginia M. Morgan for hearing and decision;

WHEREAS Magistrate Judge Morgan issued an Order dated April 10, 2006, that, among other things, scheduled a hearing on the Motion for May 10, 2006;

WHEREAS the parties have resolved the Motion,
IT IS HEREBY ORDERED:

1. The Motion is hereby deemed withdrawn,
2. The May 10, 2006 hearing on the Motion is cancelled, and
3. Each party shall bears its own costs.

Dated: April 25, 2006

s/Virginia M. Morgan
Hon. Virginia M. Morgan
United States Magistrate Judge